

**United States District Court**

NOV 14 2005

for the

JAMES R. LARSEN, CLERK  
DEPUTY  
RICHLAND, WASHINGTON

**Eastern District of Washington**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Jonathan Michael Passmore      Case Number: 2:00CR00101-001  
Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge  
Date of Original Sentence: 9/13/2000      Type of Supervision: Supervised Release  
Original Offense: Aiding and Abetting Armed Bank Robbery, 18 U.S.C. §§ 2113(a) and (d) and 2      Date Supervision Commenced: 3/28/2004  
Original Sentence: Prison - 48 Months;      Date Supervision Expires: 3/27/2009  
TSR - 60 Months

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

16. You shall participate in the home confinement program for 90 days in addition to the 90 days imposed on October 18, 2005. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.

**CAUSE**

On October 24, 2005, Jonathan Passmore was arrested by the Spokane Police Department and charged with driving while under the influence of intoxicants. At that time, Mr. Passmore submitted blood alcohol content tests which revealed his blood alcohol level to be .143 and .129. The matter is pending in Spokane Municipal Court.

As the Court may recall, a similar report was submitted on October 13, 2005, reflecting the defendant's arrest on October 1, 2005, for driving while under the influence of intoxicants.

Mr. Passmore was not able to start treatment to address his on-going alcohol abuse issues until November 2, 2005. Additionally, the installation of the electronic monitoring equipment was delayed due to the defendant having to get appropriate phone services installed at his residence. With this in mind, it is the undersigned officer's intent to attempt to assist Mr. Passmore through counseling and home confinement to address his current non-compliant behavior.

Prob 12B

**Re: Passmore, Jonathan Michael**

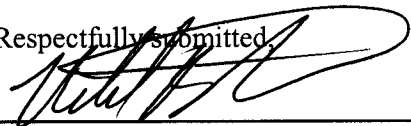
**November 3, 2005**

**Page 2**

The concern for the safety of the public remains should the defendant again choose to consume alcohol and operate a motor vehicle. The defendant currently has a stable job and residence. He understands if he chooses to make poor decisions in the future he may be jeopardizing his accomplishments.

Respectfully submitted,


by

  
Richard B. Law  
U.S. Probation Officer  
Date: November 3, 2005

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THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
Signature of Judicial Officer

11/14/05  
Date

# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

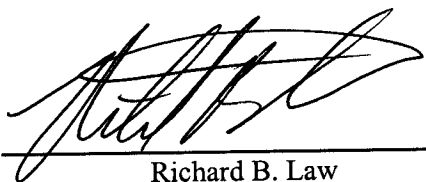
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

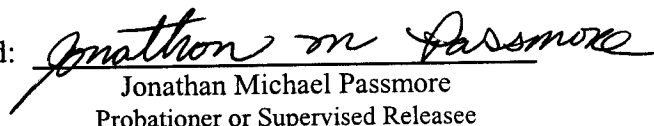
16. You shall participate in the home confinement program for 90 days in addition to the 90 days imposed on October 18, 2005. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.

Witness:



Richard B. Law  
U.S. Probation Officer

Signed:



Jonathan Michael Passmore  
Probationer or Supervised Releasee

November 4, 2005

Date